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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

FELIX JOSE RIVERA,

Defendant and Appellant.

B242604

(Los Angeles County
Super. Ct. No. PA070111)

APPEAL from a judgment of the Superior Court of Los Angeles County.

Daniel B. Feldstern, Judge. Affirmed.

Richard L. Fitzer, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Appellant Felix Jose Rivera, along with codefendant Karen Derush, was charged with carjacking in violation of Penal Code¹ section 215, subdivision (a) and second-degree robbery in violation of section 211. As to both counts, it was alleged that appellant personally used a dangerous and deadly weapon within the meaning of section 12022, subdivision (b)(2). The information further alleged that appellant had suffered a prior conviction that qualified as a serious felony under section 667, subdivision (a)(1) as well as a strike within the meaning of sections 667, subdivisions (b) through (i) and 1170.12, subdivisions (a) through (d). The information also alleged that appellant had served three prior prison terms within the meaning of section 667.5, subdivision (b).

On May 31, 2012, appellant waived his constitutional rights, pled no contest to carjacking and admitted the strike allegation. The court imposed the agreed-upon sentence of 18 years by selecting the upper-term of nine years, doubled. The court awarded appellant presentence custody credits and imposed mandatory fines and fees. The court also ordered appellant to make full restitution to the victim in an amount to be determined at a hearing set for a later date.

On July 19, 2012, the parties stipulated to the restitution figure of \$6,533, and the court ordered appellant to pay the victim that sum in restitution.

Appellant filed a timely notice of appeal, which states that "This appeal is based on the sentence or other matters occurring after the plea that do not affect the validity of the plea." We appointed counsel to represent him on this appeal.

After examination of the record, appellant's counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and requested that this court conduct an independent review of the entire appellate record to determine whether any arguable issues exist. On November 8, 2012, we advised appellant that he had 30 days in which to

¹ Unless otherwise indicated, further statutory references are to the Penal Code.

personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.

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ARMSTRONG, Acting P. J.

We concur:

MOSK, J.

KRIEGLER, J.